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## SPECIFIC GROUPS AND INDIVIDUALS: OTHER VULNERABLE GROUPS AND INDIVIDUALS

**Letter dated 23 April 2002 from the Permanent Representative of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairperson of the fifty-eighth session of the Commission on Human Rights**

I have the honour to enclose herewith the Position Paper on missing persons prepared by the Federal Government of the Federal Republic of Yugoslavia.*

I should like to ask you kindly to have it issued as an official document of the fifty-eighth session of the Commission on Human Rights under agenda item 14 (d).

(Signed): Milorad SCEPANOVIC
Ambassador
Permanent Representative

* Reproduced as received in the language of submission only.

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**Annex**

**POSITION PAPER**

1. The Federal Republic of Yugoslavia attaches great importance to solving the issue of missing persons in the territory of former SFRY, including the cases of disapperances and abductions in the territory of Kosovo and Metohija.

The process of reconciliation and building of multiethnic societies based on democracy, rule of law and tolerance depends greatly on the resolving of this issue. This is also our duty towards families of missing persons who are entitled to know the truth about the fate of their dearest ones. Withholding information on abducted and missing persons constitutes a flagrant violation of human rights of the members of their families, while abduction and other forms of violence constitute crimes for which all the perpetrators have to be accountable for in compliance with international norms and current domestic legislation.

2. The Federal Republic of Yugoslavia expects the International Community to get more actively involved in the resolving of cases of abduction, missing and uncovering of illegal prisons in the territory of Kosovo and Metohija, bearing in mind the special responsibility of the United Nations i.e. UNMIK, in accordance with the SC Resolution 1244. The resolving of the fate of missing persons in the territory of Kosovo and Metohija represents a significant step towards the establishment of a lasting peace and reconciliation.

The public in our country as well as the families of missing and detained citizens of the FR of Yugoslavia carefully follow all the steps undertaken by the Yugoslav Government and demand an urgent resolving of the fate of their missing relatives and fellow-countrymen.

In the period from KFOR's and UNMIK's deployment in Kosovo and Metohija on 10 June 1999 alone, 1300 persons of non-Albanian nationality were abducted or went missing among which only 33 persons were initially identified. In the same period more than 50 children went missing or were killed. This constitutes the most flagrant violation of the provisions of the Convention on the Rights of the Child, particularly the violation of the right to life, safe childhood and the right to normal development of children in peace. Among the missing there are also 50 women. The fate of several dozens of members of the Yugoslav Army and members of the Ministry of the Interior, who went missing in the conflict with Albanian terrorists prior to the deployment of the International Forces, remains unknown.

3. Regarding the resolving of the fate of missing persons in Croatia, the FR of Yugoslavia expects that all open issues related to this issue be resolved through the agreement of both sides on the basis of the obligations from the Agreement on Cooperation in the Search of the Missing Persons, signed by the Ministers of the two countries in November 1995 as well as on the Protocol on Cooperation signed in 1996. The Federal Republic of Yugoslavia requires from Croatia 3221 persons based on the families' requests. The number of 2701 persons of Serbian nationality who went missing in the period from 1991 to 1995 and 520 persons were registered with the Tracing Department of the Yugoslav Red Cross. Thirty three persons were preliminarily identified by the families in the FR of Yugoslavia out of the total number of 669 of the Protocol for missing and unknown persons from «Storm» and «Flash» war actions. With regard to 300 bodies from the Knin cemetery the exhumation of which was conducted by the Hague Tribunal, so far, Croatia has invited 45 families for identification purposes. Only 28 bodies have been identified so far.

At the same time, Croatia, for its part, is seeking for 1500 missing persons bearing in mind that identification of 600 exhumed is currently in the process. The Federal Republic of Yugoslavia submitted all the Protocols for identification of persons killed in Vukovar (1083) while the process of submitting Protocols for persons buried in Novi Sad cemetery is under way.

4. Finally, we would like to point out once again that the resolving of the issue of missing persons is of great importance for further improvement of the overall situation regarding human rights in the FR Yugoslavia and its neighbouring countries alike as well as for the further process of building of good-neighbourly relations and mutual trust in the region as a whole. In that context, and in accordance with its commitment to start resolving even the most serious violations of human rights, the Federal Republic of Yugoslavia is ready for and open to discuss all aspects of the missing persons issue with representatives of the states concerned, International Committee of the Red Cross, International Commission on Missing Persons, as well as with different associations on missing persons with a view to achieving concrete results.

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